

**Appln No. 10/815,526**  
**Amdt date April 9, 2008**  
**Reply to Office action of December 26, 2007**

### **REMARKS/ARGUMENTS**

Claims 1, 3-11 and 13-25 are now in the application. Claims 1, 3-7, 9, 11, 13-15, 20-24 have been amended. Claims 2 and 12 have been canceled. The Applicant respectfully requests reconsideration and allowance of the application in view of the amendments and the following remarks.

#### **Claim Rejections (35 USC §112)**

Claims 1-25 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. That is, the recitation of "at a high temperature" in Claims 1 and 24 were allegedly deemed to be indefinite because it is a "relative term." Although the Applicant believes that based on a reading of the present application, Claims 1 and 24 are definite, the Applicant, nevertheless, has amended Claims 1 and 24 such that each of these claims now recites "a treatment temperature sufficient for stoichiometric coating." In addition, Claim 23 has been amended Claim 23 to be consistent with the amendment to Claim 1. Also, for reasons unrelated to these rejections, the Applicant has amended Claims 1, 3-7, 9, 11, 13-15, 20-23 by deleting the "said" in "the said" term to place these claims in better forms.

As such and in view of the foregoing, the Applicant respectfully requests that the rejections of the claims under 35 USC §112, second paragraph, be withdrawn.

#### **Claim Rejections (35 USC §102/103)**

Claims 1-4, 6-21, 23 and 24 are rejected under 35 USC §102(b) as being anticipated by Darolia (U.S. Patent No. 6,273,678). Claims 5 and 25 are rejected under 35 USC §102(b) as anticipated by or, in the alternative, under 35 USC §103(a) as obvious over Darolia. Claim 22 is rejected under 35 USC §103(a) as being unpatentable over Darolia. The Applicant respectfully traverses these rejections. Further, the Applicant has amended Claims 1 and 24 to better set forth the subject matter being claims.

**Appln No. 10/815,526**  
**Amdt date April 9, 2008**  
**Reply to Office action of December 26, 2007**

Specifically, the Applicant has amended independent Claim 1 to now recite "a gaseous compound of a modifier metal which decomposes on contact with the substrate and deposits the modifier metal thereon simultaneously with the deposition of aluminium, wherein the gaseous compound of modifier metal is zirconium oxychloride" (emphasis in underline added).

Independent Claim 24 has been amended to now recite "decomposing the gaseous compound of the modifier metal on contact with the metal substrate and simultaneously depositing the modifier metal on the metal substrate with the depositing of the aluminium metal, wherein the gaseous compound of the modifier metal is zirconium oxychloride" (emphasis in underlined added).

The support for the amendments to Claims 1 and 24 can be at least found in canceled Claims 2 and 12.

As such, in view of the foregoing, each of Claims 1 and 24 is now limited to "zirconium oxychloride."

Here, the utilization of zirconium oxychloride is neither disclosed nor suggested by Darolia who merely discloses the use of zirconium chloride (column 7, line 22), which is chemically and physically different from zirconium oxychloride. That is, it is noted that zirconium oxychloride (in fact zirconium oxychloride octahydrate) is a solid and non-combustible compound at ambient temperature. By contrast, zirconium chloride is a combustible compound.

As such, the Applicant respectfully submits that neither Claim 1 nor Claim 24 is anticipated by Darolia because Darolia does not disclose each and every limitation of present Claims 1 and 24. In addition, the Applicant respectfully submits that neither Claim 1 nor Claim 24 is obvious over Darolia because Darolia does not teach or suggest the limitation of "zirconium oxychloride."

Moreover, since it does not disclose or suggest "zirconium oxychloride", Darolia certainly cannot disclose or suggest the additional limitation of "a gaseous compound of a modifier metal which decomposes on contact with the substrate and deposits the modifier metal thereon simultaneously with the deposition of aluminium, wherein the gaseous compound of modifier metal is zirconium oxychloride" as recited in Claim 1; or "decomposing the gaseous compound of the modifier metal on contact with the metal substrate and simultaneously depositing the modifier metal on the metal substrate with the depositing of the aluminium metal, wherein the gaseous compound of the modifier metal is zirconium oxychloride" as recited in Claim 24.


**Appln No. 10/815,526**  
**Amdt date April 9, 2008**  
**Reply to Office action of December 26, 2007**

Dependent claims 3-11 and 13-23 depend (directly or indirectly) from claim 1. As such, these dependent claims incorporate all the terms and limitations of claim 1 in addition to other limitations, which together further patentably distinguish them over the references made of record.

Dependent claim 25 depends from claim 24. As such, this dependent claim incorporates all the terms and limitations of claim 24 in addition to other limitations, which together further patentably distinguish them over the references made of record.

In view of the foregoing, the Applicant respectfully submits that Claims 1, 3-11 and 13-25 are in condition for allowance. Reconsideration and withdrawal of the rejections are respectfully requested, and a timely Notice of Allowability is earnestly solicited. If there are any remaining issues that can be addressed over the telephone, the Examiner is encouraged to call the Applicants' attorney at the number listed below.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, LLP

By   
\_\_\_\_\_  
Peter C. Hsueh  
Reg. No. 45,574  
626/795-9900

PCH/sls

SLS PAS786735.1-\*04/9/08 3:28 PM